



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 23/01330/FUL

Name and address for correspondence:	Applicant name:
Mr Paul Harris ROCHDALE BOROUGH COUNCIL NUMBER ONE RIVERSIDE SMITH STREET Rochdale Lancashire OL16 1XU United Kingdom	Mr Paul Harris

Part I - Particulars of Application

Date of 12 March 2024
Application:

Proposal:	Installation of a high net and lower ground activity course including, timber framed shelter, storage container and 2.4m high boundary fencing and gates (Resubmission of 22/00568/FUL)
Location:	Hollingworth Lake, The Pavilion , Rakewood Road, Littleborough, Rochdale, OL15 0AT

Part II - Particulars of decision

The Rochdale Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **GRANTED SUBJECT TO CONDITIONS** for the carrying out of the development referred to in Part I above.

The Council hereby permits the above development in accordance with the details given on the application form and subject to the following condition(s):

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The permission relates to the following plans:

Location Plan - Drawing no. P03
Existing Site Plan - Drawing no. P02

Proposed Site Plan - Drawing no. HCS0001A - Sheet 1 of 2
 Proposed Site Plan - Drawing no. HCS0001A - Sheet 2 of 2
 Design - Drawing no. HCS0001A - Sheet 1 of 21
 Overall Dimensions - Drawing no. HCS0001A - Sheet 2 of 21
 Renders - Drawing no. HCS0001A - Sheet 3 of 21
 Climbing Structure Elevations - Bottom (West) - Drawing no. HCS0001A - Sheet no. 4 of 21
 Climbing Structure Elevations - Left (South) - Drawing no. HCS0001A - Sheet no. 5 of 21
 Climbing Structure Elevations - Right (North) - Drawing no. HCS0001A - Sheet 6 of 21
 Climbing Structure Elevations - Top (East) - Drawing no. HCS0001A - Sheet 7 of 21
 Fence Outline - Drawing no. HCS0001A - Sheet 8 of 21
 Fence & Gate Details - Drawing no. HCS0001A - Sheet 9 of 21
 Timber Framed Shelter - Drawing no. HCS0001A - Sheet 10 of 21
 Climbing Wall - Bespoke Building Onsite - Drawing no. HCS0001A - Sheet 11 of 21
 Tower Foundation Layout - Drawing no. HCS0001A - Sheet 12 of 21
 Frame Details - Drawing no. HCS0001A - Sheet 13 of 21
 Generic Tower Design - Drawing no. HCS0001A - Sheet 14 of 21
 Tower Timber Elements Dimensions - Drawing no. HCS0001A - Sheet 15 of 21
 Top Beam Dimensions - Drawing no. HCS0001A - Sheet 16 of 21
 Fall Nets Overview - Drawing no. HCS0001A - Sheet - 17 of 21
 Bridge Overview - Drawing no. HCS0001A - Sheet no. 18 of 21
 Stairs Overview - Drawing no. HCS0001A - Sheet 19 of 21
 Large Bounce Net - Openings - Drawing no. HCS0001A - Sheet 20 of 21
 Large Bounce Net - Support Frame - Drawing no. HCS0001A - Sheet 21 of 21
 Universal Gate Product Information
 3d Images 1 - 8
 Example Activity Images

and the development shall be carried out in accordance with these drawings hereby approved.

Reason: For the avoidance of doubt, and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 3 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policy DM1 of the Rochdale Core Strategy, policy JP-S1 of Places For Everyone and the National Planning Policy Framework.

- 4 Notwithstanding the details shown on drawing no. HCS0001A - Sheet 9 of 21, prior to any above ground works full details, including colour, of the boundary fence and gates, which include small mammal gaps to their base to allow the site to be ecologically permeable, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and retained thereafter.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policy DM1 of the adopted Rochdale Core Strategy, policy JP-S1 of Places For Everyone and the National Planning Policy Framework.

- 5 No surfacing works shall take place until samples and / or full specification of materials to be used have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policy DM1 of the Rochdale Core Strategy, policy JP-S1 of Places For Everyone and the National Planning Policy Framework.

- 6 No development hereby approved (including all preparatory work) shall take place until a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) has been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt, specific issues to be dealt with in the TPP and AMS shall be:

- a) Location and installation of services/ utilities/ drainage;
- b) Details of construction within the root protection area or that may impact on the retained trees;
- c) a full specification for the construction of any surfaced areas, including details of the no-dig specification and extent of the areas of surfacing to be constructed using a no-dig specification. Details shall include relevant sections through them; and
- d) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.

The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure that trees around the site are appropriately protected from the development, to accord with policies G6 and G7 of the adopted Rochdale Core Strategy, policies JP-G2, JP-G7 and JP-G8 of Places for Everyone and the National Planning Policy Framework.

Reason for pre-commencement condition: To avoid damage to the trees it is important that protection measures are installed prior to development commencing.

- 7 Notwithstanding the details shown on the approved plans, no above ground works shall take place until details of a replacement tree planting scheme (to be replaced at a ratio of 2:1) has been submitted to and approved in writing. For the avoidance of doubt the scheme shall include details of all trees to be removed, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing trees to be retained, a scheme for the timing / phasing of implementation works.

The tree planting works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 10 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the adequate replacement tree planting takes place having regard to its location and the nature of the proposed development and to secure biodiversity mitigation in accordance with Policies P3, G1, G6 and G7 of the adopted Rochdale Core Strategy, policies JP-G2, JP-G7 and JP-G8 of Places for Everyone and the National Planning Policy Framework.

- 8 No above ground works shall take place until a detailed Habitat and Landscape Creation and Management Plan has been submitted and approved in writing. For the avoidance of doubt, this shall include details of compensation for lost habitat and also provide new tree and hedgerow planting between the development site and the Lake Shore and a scheme for the timing/phasing of implementation works. The development shall thereafter be completed in accordance with the approved plan and be retained thereafter.

Reason: To ensure that the development include acceptable habitat mitigation and protects the Hollingworth Lake Site of Biological Importance and to accord with policy

G7 of the adopted Rochdale Core Strategy, policies JP-G2, JP-G7 and JP-G8 of Places for Everyone and the National Planning Policy Framework.

- 9 No development hereby approved shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not necessarily be limited to, details of the following: - protection of retained habitats and root zones, site drainage and lighting during construction, timing of works, the location of materials/machinery and compounds and details of an on-site spill kit.

The duly approved Construction Environmental Management Plan shall be adhered to throughout the construction period.

Reason: In order to ensure that appropriate measures are put in place to limit harm to the environment during the construction process and in accordance with Core Strategy Policy G6 and G7 of the adopted Rochdale Core Strategy, policy JP-G2, JP-G6 and JP-G7 of Places for Everyone and the National Planning Policy Framework.

Reason: To ensure that any works at the site, including ground works, do not adversely impact the local environment.

- 10 No development hereby approved shall take place until a Construction Method Statement which details how construction vehicle size and movements shall be controlled and how on-site parking shall be minimised during the construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved statement.

Reason: To ensure that construction traffic does not result in undue risks to highway users, including pedestrians and to accord with policy DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Given the existing access arrangements and high volume of pedestrians it is important that appropriate traffic management systems are in place for construction traffic before development commences.

- 11 No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site.

Reason: In order to prevent disturbance to any nesting birds that may be present in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy, policy JP-G8 of Places for Everyone and the National Planning Policy Framework.

- 12 No development hereby approved (including all preparatory work) shall take place until a detailed method statement for the removal or long-term management/eradication of invasive plant species on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include measures to prevent the spread of invasive plant species during any operations such as mowing, strimming or soil movement, and measures to ensure that any soils brought to the site are free of the seeds/roots/stems of any invasive plant covered under the Wildlife and Countryside Act 1981. Development and site works shall thereafter be carried out in accordance with the approved method statement.

Reason: To prevent the spread of invasive species and to protect native flora in accordance with Policies G6 and G7 of the adopted Rochdale Core Strategy, policy JP-G8 of Places for Everyone and the National Planning Policy Framework.

Reason for pre-commencement condition: Invasive species should be dealt with before any ground works commence.

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development (England) Order 2015 (as amended) Part 12 (or any equivalent Order following the amendment, re-enactment or revocation thereof) no external lighting shall be installed at the site.

Reason: To protect the biodiversity of the surrounding site and to accord with policy G7 of the adopted Rochdale Core Strategy, policy JP-G8 of Places for Everyone and the National Planning Policy Framework

Procedure Statement:

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Date Decision Issued 14 August 2024

Melanie Hale
Head of Planning Services

IMPORTANT

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE. YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

INFORMATIVE:

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

INFORMATIVE:

The applicant is reminded of the need to submit and obtain formal approval of those details required by the conditions of this planning permission before development may lawfully commence on the site. The formal discharge of a planning condition is currently subject to payment of an additional fee per request: £34.00 for householder applications and £116.00 in all other cases.

INFORMATIVE:

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from coal mining. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological fissures; mine gas and previous surface mining sites. Although such hazards are often not readily visible, they can often be present and problems can occur as a result of development taking place, or can occur at some time in the future.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required, be submitted alongside any subsequent application for Building Regulations approval.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

INFORMATIVE:

The applicant is advised that the supply and delivery of refuse containers (including all wheelie bins and food waste caddies) for residential developments is chargeable and the responsibility for these charges rests with the applicant/developer. The cost is based on a variable rate per property depending on the property size and number of bedrooms but as an indication, the present charge for a suite of three 240l recycling bins and one 240l refuse bin is £144 per residence. Please contact environmental.management@rochdale.gov.uk for a quotation for your development.

BIODIVERSITY NET GAIN

(1) The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Rochdale Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Please see informatives and notes for further information in relation to the condition, exemptions, transitional arrangements, irreplaceable habitats and the effect of 73(D) of the Town and Country Planning Act 1990.

For more information on the Biodiversity Gain Plan condition, exemptions and transitional arrangements please see Biodiversity net gain - GOV.UK (www.gov.uk) and Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk)